

ORIGINAL



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THIS AMENDMENT:

_____ Passed _____ Passed as amended by _____

_____ Failed _____ Not Offered _____ Withdrawn

6009

GLEASON PROPOSED AMENDMENT #1

DATE PREPARED: January 20, 2006

COMPANY: Qwest Communications Corporation

DOCKET NO: T-02811B-04-0313

OPEN MEETING DATES: January 24 and 25, 2006

AGENDA ITEM: U-12

Eliminating Staff's Proposed Conditions 3, 4 and 8b

Page 23, STRIKE lines 18 through 24

Page 24, STRIKE lines 1 through 8

(STRIKE Finding of Fact 69)

INSERT a new Finding of Fact 69 to read:

"69. Staff's proposed conditions 3 and 4, while not preventing a future application by QCC to provide Residence and/or Small Business services in Qwest Corporation's service area from being heard and decided on its merits, are not necessary for this Commission to hear and decide such an application on its merits. Therefore, we will not adopt Staff's proposed conditions 3 and 4."

Page 24, STRIKE lines 9 through 28

Page 25, STRIKE lines 1 through 5

(STRIKE Findings of Fact 70 and 71)

Renumber to conform

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Page 27, STRIKE lines 16 through 22

STRIKE Page 28

STRIKE Page 29

Page 30, STRIKE lines 1 through 9

(STRIKE Findings of Fact 75 and 76)

INSERT a new Finding of Fact to read:

“According to Staff, the information required by Staff’s proposed conditions 8(b)(1-3) would be used to evaluate the impact of QCC’s operations on Qwest Corporation in future Qwest Corporation AFOR proceedings. However, we will not impose conditions in this matter on the premise that they may produce useful data for consideration in some future proceeding. Moreover, considering the fully competitive nature of the Enterprise Market, we are skeptical that proposed conditions 8(b)(1-3) would yield information useful for Staff’s intended purpose and conclude that price trends would serve as a more objective and more reliable measure of the effect of QCC’s activities. Accordingly, we will not adopt Staff’s proposed conditions 8(b)(1-3).”

Renumber to conform

Page 31, STRIKE lines 9 through 28

(STRIKE Finding of Fact 79)

INSERT a new Finding of Fact to read:

“According to Staff, the information required by proposed condition 8(b)(4) would be used to determine the competitive impact of QCC’s expanded presence in Qwest Corporation’s service territory. Considering the fully competitive nature of the Enterprise Market, however, we are skeptical that proposed condition 8(b)(4) would yield information useful for Staff’s intended purpose and conclude that price trends would serve as a more objective and more reliable measure of the effect of QCC’s activities. Accordingly, we will not adopt Staff’s proposed condition 8(b)(4).”

Page 33, STRIKE lines 10 through 25

(STRIKE Finding of Fact 82)

INSERT a new Finding of Fact to read:

“According to Staff, the information required by proposed condition 8(b)(5) would be used to determine the competitive impact of QCC’s expanded presence in Qwest Corporation’s service territory. Considering the fully competitive nature of the Enterprise Market, however, we are skeptical that proposed condition 8(b)(5) would yield information useful for Staff’s intended purpose and conclude that price trends would serve as a more objective and more reliable measure of the effect of QCC’s activities. Accordingly, we will not adopt Staff’s proposed condition 8(b)(5).”

Page 34, STRIKE lines 12 to 18

STRIKE Page 35

Page 36, STRIKE lines 1 and 2

(STRIKE Findings of Fact 85 and 86)

INSERT a new Finding of Fact to read:

“We agree with QCC that the authority requested in this proceeding does not constitute an organization or reorganization as defined by the Affiliated Interest Rules. Accordingly, we will not require a review of the limited waiver before authorizing QCC’s entry into the Enterprise Market.”

Renumber to conform

STRIKE page 37

Page 38, STRIKE lines 1 through 27

(STRIKE Findings of Fact 89, 90, 91 and 92)

Page 39, line 1

STRIKE: “as modified by Findings of Fact No. 75 above”

INSERT: “except Staff’s proposed conditions 3, 4, 8(b)(1-3), 8(b)(4) and 8(b)(5)”

Page 39, line 26

STRIKE: "as set forth herein"

INSERT: "except Staff's proposed conditions 3, 4, 8(b)(1-3), 8(b)(4) and 8(b)(5)"

Page 40, lines 23 and 24

STRIKE: "as modified by Findings of Fact No. 75 above"

INSERT: "except Staff's proposed conditions 3, 4, 8(b)(1-3), 8(b)(4) and 8(b)(5)"

Page 41, lines 8 and 9

STRIKE: "as modified by Findings of Fact No. 75 above, shall be filed according to the scheduled set forth in Findings of Fact No. 76 above"

INSERT: "except Staff's proposed conditions 3, 4, 8(b)(1-3), 8(b)(4) and 8(b)(5), shall be filed according to condition 8 as set forth in Finding of Fact 26 above"

Page 41, lines 12 and 13

STRIKE: "as modified by Findings of Fact No. 75 above, according to the scheduled set forth in Findings of Fact No. 76 above"

INSERT: "except Staff's proposed conditions 3, 4, 8(b)(1-3), 8(b)(4) and 8(b)(5), according to condition 8 as set forth in Finding of Fact 26 above"

Page 41, line 17

STRIKE: "as modified by Findings of Fact No. 75 above"

INSERT: "except Staff's proposed conditions 3, 4, 8(b)(1-3), 8(b)(4) and 8(b)(5)"

Page 41, line 21

STRIKE: "shall"

INSERT: "may"

Page 41

STRIKE lines 23 through 26

Make all conforming changes